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SUBJECT: 2006 ARROYO IMPEACHMENT DEAD; MOVING FORWARD ON A
"PEOPLE'S INITIATIVE"

11. (SBU) Summary: On August 24, the House of Representatives voted 173-32 to uphold its own justice committee report recommending the dismissal of this year's impeachment complaint against President Gloria Macapagal Arroyo. Most politicians and observers had long viewed the outcome as a foregone conclusion, but the Opposition was determined to make its case against the President publicly again. Support for impeachment dwindled, apparently in part due to extensive lobbying from Malacanang and alleged selective refusal to release Congressional "pork barrel" funds to impeachment supporters in the run-up to May 2007 elections. The result should leave the President in a stronger political position. Supporters of a "people's initiative" on Constitutional change now claim to have sufficient signatures nationwide to justify a plebiscite under the 1987 Constitution, but neither the Commission on Elections or the Supreme Court is likely to go along. End summary.

12. (U) Following a 17-hour session throughout the night of August 23/24, the House of Representatives voted 173-32 to uphold its own justice committee report recommending the dismissal of this year's impeachment complaint against President Gloria Macapagal Arroyo, as expected. Members of Congress from both the pro-Administration and Opposition sides called the impeachment effort an "exercise in futility" or a "foregone conclusion," but Opposition members insisted publicly and privately that it was important to raise concerns about the legitimacy of the President's 2004 victory again and to seek accountability. Much of the debate in the Committee hearing as well as on the plenary floor focused on the admissibility of several boxes of alleged additional evidence, which the Committee rejected. Most of the voting Members used their right to a three minute explanation of vote, many with an eye of publicity for their expected May 2007 re-election campaigns. Star orators in favor of impeachment included Congressmen Alan Peter Cayetano and Francis "Chiz" Escudero (both of whom may seek Senate seats) as well as party list representative "Teddy" Casino. Observers gave low marks to Speaker Jose de Venecia's remarks, in which he may another predictable pitch for charter change and stressed that parliamentary systems do not waste time on impeachments.

13. (SBU) At least 78 votes, or 1/3 of the House membership, would have been necessary to send an impeachment complaint to the Senate for a trial. This year, the pro-impeachment lobby only got 32 votes, down from 51 on the impeachment vote last year. At least 13 Congressmen allegedly agreed to change their votes from a year ago in order to obtain Congressional "pork barrel" funding, currently held up by the Administration. There were allegations that, even on the

verge of the voting, representatives from the Presidential Legislative Liaison Office were distributing brown envelopes stuffed not with cash but with promises to release specific amounts of funds, in exchange for support in blocking the impeachment motion. Several Congressmen used their explanation of vote to detail the infrastructural and other projects they had succeeded in bringing to their districts.

¶4. (SBU) After the vote, Speaker de Venecia urged members to end "poisonous, disruptive politics" and to assist the Administration in solving the country's problems. Presidential political advisor Gabriel Claudio said that the President is "thankful" to Congress and is now "extending the hand of reconciliation." House Minority Leader Escudero nonetheless publicly congratulated his colleagues who voted to impeach "despite the odds." Presidential son and Congressman Juan Miguel "Mikey" Arroyo tried to shake the hands of former Arroyo Cabinet members (from the Hiatt 10 group that resigned en masse in July 2005) Teresita "Ging" Deles and Dinky Soliman in the public gallery after the vote, but they refused and later said "without repentance, no sense looking for forgiveness." They and others still predict another impeachment effort in 2007; no more than one impeachment is possible against a single individual within a one-year period.

¶5. (SBU) On August 25, multisectoral organizations "Sigaw ng Bayan," the Union of Local Authorities of the Philippines (ULAP), and the Advocacy Commission (Ad-Com) jointly filed a "people's initiative" petition calling for Charter change with the Philippine Commission on Elections (COMELEC), claiming they had succeeded in obtaining signatures of the Constitutionally-required twelve percent of total registered voters, including at least three percent in each legislative district. (Makati City, under anti-Arroyo Mayor Binay, was

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the last hold out.) COMELEC Chairman Abalos privately told Pol/C that COMELEC would have to decline to act on the petition absent a new Supreme Court decision reversing a 1998 decision prohibiting COMELEC involvement until Congress passed enabling legislation related to such initiatives. Leaders of the "One Voice" NGO opposing the "people's initiative" confirmed to poloffs that they intend to bring the issue to the Supreme Court again in order to block the current effort, although they support calls for a constitutional convention to discuss and approve a new constitution.

¶6. (SBU) Comment: While there was never much likelihood that the impeachment effort would prosper more than in 2005, this overwhelming Congressional vote should leave President Arroyo and her supporters in a stronger political position and enable them to focus more fully on policy priorities. It seems unlikely at this point that the "people's initiative" will go very far or very fast; there is no sense of genuine momentum or true popular support, despite the apparently successful signature campaign.
Jones